



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.01.2020**

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

WEB COPY

W.P.(MD)No.1992 of 2020

and

W.M.P.(MD).No.1662 of 2020

P.Ramamoorthy

... Petitioner

/vs./

1.The Commissioner of Municipal Administration,
Chepauk, Chennai-600 005.

2.The Commissioner,
Kulithalai Municipality,
Kulithalai-639 104,
Karur District.

... Respondents

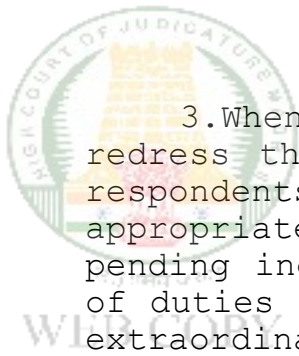
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the representation, dated 10.12.2019 of the petitioner and grant the "Bonus increment" with effect from 23.04.2017 [i.e.from the date of completion of 30 years of total service in the same scale of pay/cadre and completion of 10 years as Junior Assistant (Special Grade)] and grant arrears of pay and allowances and other monetary benefits within a time limit to be fixed by this Court.

For Petitioner	:	Mr.A.Thirumurthy
For R-1	:	Mr.C.M.Marichellaiah Prabhu, Additional Government Pleader.
For R-2	:	Mr.M.Rajarajan Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The limited prayer sought for by the petitioner is that to consider the representation dated 10.12.2019 seeking for grant "Bonus increment" with effect from 23.04.2017 [i.e.from the date of completion of 30 years of total service in the same scale of pay/cadre and completion of 10 years as Junior Assistant (Special Grade)] and grant arrears of pay and allowances and other monetary benefits.



3. Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merit and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

4. In view of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 10.12.2019 on its own merits and pass appropriate orders within a period of six (6) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in his representation and it is for the second respondent to consider it in accordance with law.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1. The Commissioner of Municipal Administration,
Chepauk, Chennai-600 005.

2. The Commissioner,
Kulithalai Municipality,
Kulithalai-639 104, Karur District.

+1 CC to M/s.A.THIRUMURTHY, Advocate (SR-4191[F] dated 31/01/2020)
+1 CC to M/s.M.RAJARAJAN, Advocate (SR-4288[F] dated 31/01/2020)
+1 CC to M/s.Special Govt.pleader (SR-4417[F] dated 03/02/2020)

Order made in
W.P. (MD) No.1992 of 2020

Dated:
31.01.2020

sjj

SDS (17.02.2020) 2P-6C

<https://hcservices.ecourts.gov.in/hcservices/>